



Stankowski et al.  
Serial No. 09/660,795  
Amendment

Page four

REMARKS

The claims have been amended to include the feature of the filtration cartridge required to prevent separation of a slurry being filtered into its constituent parts (solids of a desired size and liquid). Support for the recited features are (a) page 5, last line to page 6, line 1; (b) page 6, lines 9-11 and (c) page 12, lines 15-21. Claim 22 replaces original claim 5.

Claims 5-9 have been rejected under 35 USC 112, second paragraph. As suggested by the Examiner, the claims have been amended to recite the filtration cartridge structure in the claim preamble and to specify the nature of the open void volume to be avoided while specifying the height of the spacers positioned between depth filter segments. Accordingly, this ground of rejection should be withdrawn.

Claims 5-9 have been rejected under the judicially created doctrine of obviousness double patenting as unpatentable over Claims 1-15 and 25 of copending Application No. 09/913,977. A terminal disclaimer is enclosed. Accordingly, this ground of rejection should be withdrawn.

In view of the above, it is submitted that applicants' claims define patentable subject matter and an early Notice of Allowance to that effect is respectfully requested.

Respectfully submitted,

By:

Paul J. Cook  
Registration No. 20,820  
Attorney for Applicants  
Mykrolis Corporation  
129 Concord Road  
Billerica, MA 10821-4600  
Tel (978) 436-6528  
Fax (978) 436-6739